

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED

NOV 10 2021

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHADI MURRA,

Defendant.

) INDICTMENT

) **1:21 CR 811**

) CASE NO.

) Title 18, United States Code,
) Section 1343

) **JUDGE CALABRESE**

GENERAL ALLEGATIONS

At all times material and relevant to this Indictment:

1. Defendant SHADI MURRA was a resident of the Northern District of Ohio.
2. In 2012, Defendant was convicted of Theft and Trafficking in Cigarettes without a License in Columbiana County Common Pleas Court, case number 2012-CR-0049.
3. As a result of his conviction, Defendant was prohibited from participating in the United States Department of Agriculture's Food Stamp and Supplemental Nutrition Assistance Programs.

The Food Stamp Program

4. The Supplemental Nutrition Assistance Program ("SNAP"), formerly known as the Food Stamp Program, was a governmental program administered by the United States Department of Agriculture ("USDA") through the Food and Nutrition Service ("FNS") in Ohio.
5. Retail stores could participate in the Food Stamp and SNAP Programs only with the authorization of the FNS.
6. Prospective retailers seeking authorization to process SNAP benefits were required to submit federal form FNS-252, "Supplemental Nutrition Assistance Program

Application for Stores,” formerly “Food Stamp Application for Stores.” Form FNS-252 asked the prospective retailer a series of questions about the business and ownership, including Question 15 (“Has any officer, owner, partner, member, and/or manager ever had a license denied, withdrawn or suspended, or been fined for license violations (i.e. Supplemental Nutrition Assistance Program, WIC, business, alcohol, tobacco, lottery, or health license)?”) and Question 16 (“Was any officer, owner, partner, member, and/or manager convicted of any crime after June 1, 1999?”). Prospective retailers were required to sign a certification indicating that they understood the rules and regulations of the SNAP program and took responsibility for any violations. Prospective retailers could also be required to provide identification, licensure, purchase agreements, and other business document to prove the legitimacy of the business.

7. Pursuant to the Food and Nutrition Act, USDA-FNS was required, when determining the qualifications of applicants, to consider the following factors: (A) the nature and extent of the food business conducted by the applicant; (B) the volume of benefit transactions which may reasonably be expected to be conducted by the applicant food store or wholesale food concern; (C) whether the applicant is located in an area with significantly limited access to food; and (D) the business integrity and reputation of the applicant. Under Title 7, C.F.R. Section 278.1, criminal convictions that reflected on the business integrity of owners, officers or managers could bar prospective retailers from participating in the program. Such criminal convictions included embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and prior SNAP/Food Stamp Program violations amongst others.

Detroit Shoreway Express, Inc.

8. In 2016, Defendant purchased Detroit Shoreway Express, Inc. convenience store (“DSE”) for \$110,000.

9. On or about April 5, 2018, Defendant submitted a SNAP application federal form FNS-252 to FNS, via the internet, from Ohio to Virginia and answered “No” to Question 15, which asked, “Has any officer, owner, partner, member, and/or manager ever had a license denied, withdrawn or suspended, or been fined for license violations (i.e. Supplemental Nutrition Assistance Program, WIC, business, alcohol, tobacco, lottery, or health license)?” and “No” to Question 16, which asked, “Was any officer, owner, partner, member, and/or manager convicted of any crime after June 1, 1999?”, knowing that his answers were false.

10. On about May 10, 2018, based on Defendant’s false answers, FNS authorized DSE to accept SNAP benefits under authorization number 0635072.

11. From on or about May 10, 2018, to on or about September 30, 2021, DSE received \$333,994.78 in SNAP benefits.

COUNT 1

(Wire Fraud, 18 U.S.C. § 1343)

The Grand Jury charges:

12. The allegations set forth in paragraphs 1 through 11 of this Indictment are re-alleged and incorporated by reference as if fully set forth herein.

13. On or about April 5, 2018, in the Northern District of Ohio, Eastern Division, Defendant SHADI MURRA knowingly devised and intended to devise a scheme and artifice to defraud the USDA and to obtain money and property from the USDA by means of false and fraudulent pretenses, representations, and promises, as described above.

14. On or about April 5, 2018, for the purpose of executing and attempting to execute the scheme and artifice to defraud described above, Defendant transmitted and caused to be transmitted by means of wire communication in interstate commerce writings, signs, signals, pictures, and sounds, to wit: SNAP application federal form FNS-252 via the internet from Ohio to Virginia.

In violation of Title 18, United States Code, Section 1343.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.